

**Introduced by Senator Correa**

February 22, 2013

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An act to add Section 3470 to the Penal Code, relating to county prisoners.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 706, as introduced, Correa. County prisoners: Community Reintegration and Transitional Status.

Existing law provides that certain felonies shall be punished by a term of imprisonment in a county jail. Existing law permits the court, when imposing the sentence, to commit the defendant to custody in the county jail for the full term or, alternatively, to suspend execution of a concluding portion of the term selected, during which the defendant is required to be supervised by the county probation officer in accordance with the terms, conditions, and procedures generally applicable to persons placed on probation, for the remaining unserved portion of the sentence imposed by the court.

This bill would require an individual released from a county jail after serving part or all of a sentence for a felony to be placed on Community Reintegration and Transitional Status for a period of 12 months. The bill would prohibit an individual person on this status from being returned to county jail or subject to any revocation process unless he or she is arrested or convicted of a new offense. The bill would make the individual subject to search or seizure by a peace officer at any time of the day or night, with or without a warrant, and with or without cause. By requiring the county to perform a new duty, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) The period immediately following the release of an inmate  
4 from incarceration is critical to his or her successful reintegration  
5 into society and to positive citizenship. It is in the interest of public  
6 safety to provide for the effective supervision and surveillance of  
7 individuals released from county jail who were sentenced pursuant  
8 to paragraph (1) of subdivision (h) of Section 1170 of the Penal  
9 Code and to provide information on educational, vocational, family,  
10 and personal counseling necessary to assist offenders in the  
11 transition between imprisonment and reintegration into society.

12 (b) Diligent effort must be made to ensure that individuals placed  
13 on Community Reintegration and Transitional Status are held  
14 accountable for their criminal behaviors, including, but not limited  
15 to, the satisfaction of restitution and fines.

16 SEC. 2. Section 3470 is added to the Penal Code, to read:

17 3470. (a) An individual released from county jail after serving  
18 part or all of a sentence for a felony pursuant to subdivision (h) of  
19 Section 1170 shall, for a period of 12 months, be placed on  
20 Community Reintegration and Transition Status (CRATS).

21 (b) Notwithstanding any other law, an individual on CRATS  
22 shall not be returned to county jail or be subject to any revocation  
23 process, unless he or she is arrested or convicted of a new offense.

24 (c) An individual on CRATS is subject to search or seizure by  
25 a peace officer at any time of the day or night, with or without a  
26 warrant, and with or without cause. The individual on CRATS  
27 shall be notified of these conditions upon release from jail.

1 (d) This section does not authorize a peace officer to conduct a  
2 search or seizure pursuant to subdivision (c) for the sole purpose  
3 of harassing an individual on CRATS.

4 SEC. 3. If the Commission on State Mandates determines that  
5 this act contains costs mandated by the state, reimbursement to  
6 local agencies and school districts for those costs shall be made  
7 pursuant to Part 7 (commencing with Section 17500) of Division  
8 4 of Title 2 of the Government Code.

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